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From: Leonard Bennett [<mailto:lenbennett@clalegal.com>]

Sent: Friday, August 19, 2011 6:41 PM

To: Anthony, David N.; Lynch, John C.

Cc: Matt Erausquin

Subject: James v. Encore

Counsel:

After considerable thought and a review today of the documents you disclosed in James, as well as the transcript we received of the Midland employee deposition, we cannot find anything you have produced, or any answers in the deposition that are properly designated as confidential.

Accordingly, this email is our written notice that we object to your designation of the deposition and to the designation of the Encore/ Midland disclosed and produced documents as confidential under the protective order.

Encore/Midland's time to file a conventional protective order must now start to run.

Len Bennett

